

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 1796 - HB 2203

April 2, 2009

SUMMARY OF BILL: Enacts the Unborn Child Protection Act which requires a child protective services (CPS) worker who knows or suspects an expectant mother of using methamphetamine to petition the general sessions court for an order requiring the expectant mother to cooperate with all intervention efforts to prevent harm to her unborn child if she refuses to voluntarily. If the expectant mother does not comply with the court order, the CPS worker may petition the court for an order requiring the mother to be placed into emergency custody.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$976,600

Increase Local Revenue – Not Significant

Increase Local Expenditures – Not Significant

Increase Federal Expenditures – \$743,700

Assumptions:

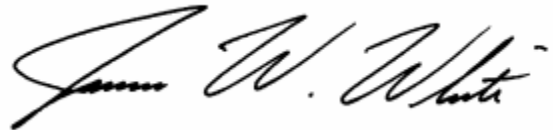
- The Department of Children's Services (DCS) estimates that one and one-half percent of the 2,954 investigations of children exposed to drugs are for cases involving pregnant women. The department estimates 44 (2,954 x .015) women per year could come into state custody for at least four and one-half months, or 135 days.
- DCS estimates that the average cost per day to hold a pregnant woman who is receiving treatment for methamphetamine use is \$280 resulting in an increase in expenditures of \$1,663,200 (44 x 135 days x \$280).
- Of the total increase of \$1,663,200, seven percent (\$116,424) will be Title IV-E Federal funds; 49 percent (\$814,968) will be through TennCare; and \$731,808 in state funds.
- Of the \$814,968 in TennCare funds, \$210,767 is state funds at a 25.862 percent match rate and \$604,201 is federal funds at a 74.138 percent match rate.

SB 1796 - HB 2203

- DCS estimates an additional case manager resulting in an increase in expenditures of \$57,096 which includes salaries (\$34,400), benefits (\$11,696), and communications, networking, travel and supplies (\$11,000).
- Of the total increase of \$57,096, seven percent (\$3,997) will be Title IV-E Federal funds; 45 percent (\$25,693) will be through TennCare; and \$27,406 in state funds.
- Of the \$25,693 in TennCare funds, \$6,645 is state funds at a 25.862 percent match rate and \$19,048 is federal funds at a 74.138 percent match rate.
- A small increase in cases in the court system, which will result in additional local government expenditures for processing the cases and additional local government revenue from fees, taxes and costs collected. These expenditures and revenue are estimated to be not significant.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible.

James W. White, Executive Director

/kml